



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2020-137
February 7, 2020

STATE OF EMERGENCY RELATING TO
THE PROHIBITION AGAINST PRICE GOUGING

WHEREAS, beginning on February 3, 2020, and continuing, a severe weather system generating heavy rain tracked across the entire Commonwealth, causing flash flooding, flooding, and landslides resulting in severe impacts to infrastructure, governmental properties, and private properties; especially in southeastern Kentucky, and

WHEREAS, these conditions continue to endanger public health and safety and/or public and private property; and

WHEREAS, state and local governments share responsibility for protection of public health, safety, and security as well as for the protection of public and private property and for taking appropriate actions to ensure the provision of essential public services; and

WHEREAS, I, Andy Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Constitution of the Commonwealth of Kentucky and by Chapter 39A of the Kentucky Revised Statutes, did on February 7, 2020 declare by Executive Order 2020-136 that a State of Emergency exists in the Commonwealth of Kentucky effective February 7, 2020; and

WHEREAS, under such circumstances I am further empowered by the Constitution of the Commonwealth of Kentucky and Chapter 367 of the Kentucky Revised Statutes to implement certain provision of law aimed toward protecting Kentucky Consumers:



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NOW, THEREFORE, I, Andy Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Constitution of the Commonwealth of Kentucky and by Chapter 39A of the Kentucky Revised Statutes, do hereby implement the provisions of KRS 367.372, *et seq.*, as to the sale of goods and services, and do hereby Order and Direct that:

1. No person, within the meaning of KRS 446.010, shall sell or offer to sell any good or service delineated in KRS 367.374(1)(b) at a price grossly in excess of the price prior to the declaration by Executive Order 2020-136 on February 7, 2020, that a Statewide State of Emergency exists in the Commonwealth of Kentucky.
2. The foregoing is subject to the qualifications and limitations set forth otherwise in KRS 367.372, *et seq.*, with regard to increased cost to sellers *inter alia*.
3. The Division of Emergency Management shall immediately notify the public and those registered with the Division for the purpose of receiving notice of the implementation, renewal, or termination of the provision of this Order relating to KRS 367.374. The Division shall notify the public by any means available, including the Division's Web site, news media, and electronic mail. Any person or trade association may register with the Division for the purpose of receiving notification.

This Order is effective February 7, 2020 and shall be in effect for the duration of the State of Emergency declared in Executive Order 2020-136, but shall expire after 30 days and shall be subject to renewal thereafter, subject to applicable law, if necessary to protect the lives, property, or welfare of the citizens of the Commonwealth of Kentucky.


ANDY BESHEAR, GOVERNOR
Commonwealth of Kentucky


MICHAEL G. ADAMS
Secretary of State